

Application No. 10/720923
Amendment dated May 9, 2006
After Final Office Action of March 9, 2006

Docket No.: 013436.0287C1US
(Bushnell 26-27)

REMARKS

Claims 1 – 14 are pending in this application. In a Final Office Action mailed 09 March 2006, the Examiner rejected claims 1 – 14 under 35 USC 102(e) as being anticipated by Mayne (US Patent Application Publication No. 2004/0025047). This rejection is respectfully traversed.

The Examiner noted with respect to Applicants' arguments filed in the amendment dated 7 February 2006:

Applicant's arguments filed 02/07/2006 have been fully considered but are not persuasive.

a) In response to Applicant's arguments with regard to the amended claims 1, 4, 8 and 11, applicants argue that "the Mayne patent fails to show or suggest the provision of: "query means for exchanging said user location data with at least one of said enterprise communication network and said public communication network" since there is no communications with the public communication network with respect to the location of the user's telephone set." While, Mayne evidently discloses that "The WIS can store data concerning which radio 34,28 ("query means" PBX 40 contains radio 28) the user's communication device 3,4,5,6,7,8 is attached to. Every time a user's communication device 3,4,5,6,7,8 moves from one radio 28,34 (Access Point 2 contains radio 34) to another there is a disconnection and reconnection process. To make this as seamless as possible a "roaming capability is operated by the processor to allow the controlled hand-off from one radio to another", see [0075] and [0121])

The examiner notes that the claim contains the limitation of "at least one of", which is an alternative phrase. Therefore, the referenced need only show one of the criteria in the claim, which May clearly discloses that there is communication with the enterprise communication network with respect to the location of the user's telephone set (described as "Every time a user's communication device 3,4,5,6,7,8 moves from one radio 28,34 (Access Point 2 contains radio 34) to another there is a disconnection and reconnection process. To make this as seamless as possible a "roaming" capability is operated by the processor to allow the controlled hand-off from one radio to another", see [0075] and [0121]).

b) Applicants argues that "the Mayne patent fails to show or suggest the provision of: "call pickup means, responsive to said user location data and the presence of a call directed to said user wireless station set, for transmitting an alert signal to said user's wireless station set and at least one of said additional station sets",

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while Mayne particularly discloses "The PBX adapter allows connection to an existing PBX so that when an incoming call can be transferred to an extension which rings the Bluetooth phone via the Bluetooth connection. The Bluetooth phone becomes a portable extension of the desk phone. If the Bluetooth phone is incorporated in a mobile phone, these phones are referred to as 3-in-1 phone, the three modes being: GSM calls outside the office environment, cordless calls and intercom calls directly between Bluetooth phones when inside the office" see [0110].

With all the reasons stated above, the rejection is proper and still stands.

In response to the Examiner's comments in Section 2a, Applicants have amended the independent claims to remove the limitation "at least one" and revise the claims to recite "query means for exchanging said user location data with said enterprise communication network and said public communication network." This amendment is believed to distinguish Applicants' claimed invention from the cited Mayne Patent.

In response to the Examiner's comments in Section 2b, Applicants have amended the independent claims to recite "for transmitting an alert signal to all of said user's wireless station set and said plurality of additional station sets." In addition, Applicants present arguments below that address the teachings of the cited Mayne Patent and the definition of a call pickup group as now presented in Applicants' independent claims. This amendment is believed to distinguish Applicants' claimed invention from the cited Mayne Patent.

Applicants have reviewed the cited Mayne reference and the Examiner's stated grounds for rejection, has amended claims 1 - 3, 5, 8 - 10, and 12, and presents the following arguments in support of patentability of Applicants' claimed invention, as amended above.

Applicants' interoperability system functions to extend the wireless Private Branch Exchange services provided in the enterprise communication network to the cellular communication network based on the presence and supervision data provided by the interoperability system. The provision of ubiquitous service to the user, regardless of their location, provides a significant advantage over existing Private Branch Exchange and cellular communication network services. In addition, the user is equipped with only one wireless station set, which can operate as a cordless Private Branch Exchange extension in the office or as a standard wireless station set outside of the office. By provisioning the Private Branch Exchange with this wireless station set mobility, this allows the user to roam within the wireless coverage area of one of the two

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networks or to roam between the two networks. This capability also provides telephone coverage personnel with information about the status of a user's wireless station set before they attempt to forward a call or simply call the user's wireless station set.

Furthermore, with Presence Based Call Pick Up, the presence of a waiting call for one employee triggers notification to all the members of the Pick Up Group. The waiting call notification can be delivered via distinctive ringing patterns, special call waiting tones, or instant messages. With Presence Based Call Pick Up, the members of the Call Pick Up Group no longer need to be co-located or even served by the same call control or switching system. Members of the Call Pick Up Group can include remote workers and even wireless telephones. This capability is now more precisely recited in Applicants' independent claims.

In contrast, the cited Mayne Patent describes that, with regard to voice communication, the WIS 1 can forward a call to the user's phone within the scope of coverage of the enterprise communication network that comprises a wireless portion comprising wireless devices 3 - 8, the LADs 2, a wired portion comprising LAN 10, PBX 40, devices 11 - 13, 41, and 42, and a WIS 1 which interconnects the wireless and wired portions (emphasis added):

[0110] The WIS is also adapted to handle voice communication. This can be activated either by using voice over IP and transferring the call via the Internet, or by using the PBX interface. The PBX adapter allows connection to an existing PBX so that when an incoming call can be transferred to an extension which rings the Bluetooth phone via the Bluetooth connection. The Bluetooth phone becomes a portable extension of the desk phone. If the Bluetooth phone is incorporated in a mobile phone, these phones are referred to as 3-in-1 phone, the three modes being: GSM calls outside of the office environment, cordless calls and intercom calls directly between Bluetooth phones when inside the office.

Thus, the Mayne Patent teaches the forwarding of the incoming call only to the user's telephone via one of a number of paths: PBX, Internet, or Bluetooth. However, the Mayne Patent fails to show or suggest the provision of a call pickup group that consists of a plurality of subscribers, not just the user to whom the incoming call is directed, as recited in Applicants' independent claims: "call pickup means, responsive to said user location data and the presence of a call directed to said user wireless station set, for transmitting an alert signal to all of said user's wireless station set and said plurality of additional station sets." The ringing of the plurality of

